

# **NEGATIVE DECLARATION**

## **Adoption and Implementation of Revised Adjustment Method and Disposal Reporting System Regulations**

### **Project Description**

The Board's purpose in adopting these revised Adjustment Method and Disposal Reporting System regulations is to improve the accuracy of the goal measurement system by which jurisdictions (incorporated cities, unincorporated counties, and regional agencies) demonstrate compliance with the 50% diversion rate goal of the Integrated Waste Management Act of 1989, AB 939, Sher, Chapter 1095, Statutes of 1989, Public Resources Code (PRC) section 40000 et. seq. The Adjustment Method and Disposal Reporting System are two important components of the goal measurement system. A jurisdiction's failure to meet the 50% diversion rate goal could result in fines up to \$10,000 per day. Therefore, the use of the most accurate available data in the diversion rate calculations is critical.

The regulation revisions are largely based upon recommendations for changes to the goal measurement system developed by stakeholder and Board staff working groups pursuant to Chapter 740, Statutes of 2000 (Sher, SB 2202) and approved by the Board. Proposed revised regulatory requirements to improve the accuracy of the Adjustment Method are: 1) add county level Employment Development Department (EDD) industry employment as a default factor, 2) consider EDD labor force employment for the residential adjustment calculation and EDD industry employment for the non-residential adjustment calculation, and 3) allow use of 1991 city level industry employment data by zip code for 1990 base year if 1990-1991 employment trend was increasing. With regards to the Disposal Reporting System regulations, the proposed revisions: 1) establish statewide standards for collecting information on disposal tonnage and jurisdiction of origin, 2) base origin information from commercial haulers on the records kept by the hauling companies, 3) require scales at facilities above a certain threshold of waste intake, 4) require cooperation with the Disposal Reporting System as part of the minimum standards at permitted landfills, and 5) improve jurisdictions' access to timely disposal information.

These proposed regulations and their rulemaking history can be accessed on the Internet at: <http://www.ciwmb.ca.gov/Rulemaking/DRSAdjMethod/>. Copies of the proposed regulations are also available by contacting Diane Shimizu by phone at 916-341-6238 or by email at [dshimizu@ciwmb.ca.gov](mailto:dshimizu@ciwmb.ca.gov).

### **Project Location**

Upon adoption of the revised Adjustment Method and Disposal Reporting System regulations by the Board, the provisions and conditions of these regulations will be applicable statewide.

### **Finding**

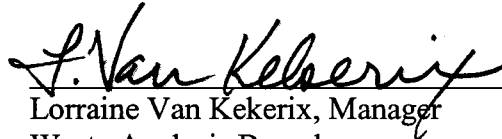
The regulations as proposed by the California Integrated Waste Management Board will not have a significant effect on the environment. The attached initial study documents this finding.

## Potential for Significant Environmental Effects

Several areas have been identified in the Environmental Checklist portion of the Initial Study as having potential for significant environmental impacts. These are in the areas of: air quality, noise, and traffic/circulation.

These potentially significant impacts concern the possibility of increased truck idling time at solid waste facilities with the implementation of regulatory requirements that increase origin survey frequency and establish new requirements to weigh loads of waste. However, the regulations provide performance standards that allow for flexibility in the way operators comply with the increased requirements for weighing and determining the origin of waste loads. Further, the regulations exclude car and pickup truck loads from daily weighing and origin surveying requirements. The regulations also grant all solid waste facilities located in rural jurisdictions an automatic exemption from the increased survey frequency requirements. Local governments can further reduce environmental impacts by collecting data in a manner that reduces truck idling time at solid waste facilities. Finally, based on information obtained in surveys conducted by the Board and from Board staff site visits to solid waste facilities, many affected facilities are known to be meeting or exceeding the proposed regulatory requirements.

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